

EAST PALESTINE VILLAGE COUNCIL MEETING DECEMBER 9 2013

Mayor Zuch called the meeting to order. Present were Atty. Beagle, Mr. Elzer, Mr. Cohen, Mr. Tyger, Mr. Figley and Mrs. Wisser. Also present was Village Manager Pete Monteleone, Finance Director Traci Thompson, Attorney Shirley Smith and Clerk Misti Martin. Mr. Elzer had an addition to the Regular Meeting Minutes of November 25, in the section under Development pertaining to the \$700 bonus money for oil and gas leases it should have said the \$700 in bonus money is based on \$ 4000.00 per acre. Mr. Elzer then made a motion to accept the corrected Regular Meeting Minutes and the Budget Committee meeting minutes, seconded by Mr. Cohen. All in favor. The November Department reports were approved on a motion by Mr. Cohen, seconded by Mrs. Wisser.

AGENDA: JOHN HERBERT-WILDLIFE IN THE CITY. Mr. Herbert stated he gave Council an article from Time magazine about communities having problems with ducks and geese and we are having that same problem. He stated his garden was eaten last year. There are ways to deal with geese, such as dogs. Deer are also a problem because people are feeding them; they are causing car accidents and eating vegetation in residential areas. We could permit bow hunting at the edges of city limits or pass an ordinance permitting the feeding of deer.

CLERK: Clerk Misti Martin had no report other than to state she had given Council the dates for the 2014 meetings.

MAYOR: Mayor Zuch stated that the Turkey Trot was a success in spite of the cold weather. She then went over the Boards & Commissions appointments. The Park Board has 3 appointments that are by the Manager and there are two in place and he is working on the third. Manager Monteleone asked that it be put in the paper that there is still one opening on the Park Board and interested residents should contact the office. Mayor Zuch stated the Income Tax Board terms are indefinite. The Architectural Design Board has no expiring terms but there is a member who does not wish to be on it any longer and Mr. Elzer expressed an interest for the position and that is a Council appointment. The Board of Housing Appeals is a Mayors appointment and Mary Anne Tyger has agreed to serve again. The Board of Zoning Appeals has a vacancy and there is one interested person and that is a Council appointment. The CRA Board has two openings that are Mayor Appointments and Stephanie Elick and Becky Foster said they would accept re-appointment. Mr. Elzer asked what the Income Tax Board did and Thompson stated that is place if anyone wants to appeal an issue with income tax. Thompson said she only knows of one meeting and that was in the 1990's. The Planning Commission has to expiring and those are Mayor Appointments with Council consent. Chuck Dolls appointment expires this year and Gary Linharts term expires at the end of next year (there was confusion as to when Linharts term expires, this year or next). Mayor Zuch asked for a motion to reappoint Mr. Doll & Mr. Linhart to the Planning Commission. Mr. Cohen made the motion, seconded by Mr. Tyger. All in favor. Mr. Cohen made a motion to appoint Don Elzer to the Architectural Design Board for the remainder of the term, seconded by Atty. Beagle. All in favor (Mr. Elzer abstained). Mr. Figley made a motion to appoint Dianna Elzer to the Zoning Board of Appeals, seconded by Mr. Cohen. All in favor (Mr. Elzer abstained).

MANAGER: Manager Monteleone stated he attended the Christmas Lights in the Park and it is very nice. There is hot chocolate in the Brick Pavilion and it is every weekend in December. He stated that we got the CD from the County that Mr. Elzer requested. Mr. Elzer stated that they are sorting out the information as the CD covers the entire County. Mr. Elzer asked about the Manager evaluation forms, how they went from 3 or 4 to 1 that is to be presented to Atty. Smith. Atty. Smith stated the evaluation is directed through her and the form is consistent with how other Village employees are evaluated and that she was designated in the Managers contract. Mr. Elzer asked what Atty. Smith would do with them once she received them and she said she would tally them and report back to Council with the findings, that she basically just plays an accounting role. Mr. Elzer said this should be an ordinance rather than in a contract, there should be a formal

procedure. Mr. Cohen stated he had been working on something and hoped to have it for the next meeting. Mr. Cohen said it could be a valuable tool for guiding the manager in the future.

LAW DIRECTOR: Atty. Smith stated that she was still waiting on the previously discussed evaluation forms.

STREET: NO REPORT

SAFETY/PARK/REC/CEM: Mr. Cohen stated he went to the Lights at the Park and they are very nice. He also stated these are the types of functions he would like to see more of at the Park and with the new plans for the concession stand that it could be open too. Mayor Zuch stated that the hot chocolate and Santa will be at the Brick Pavilion. Mrs. Wisser stated they have a singer there also.

DEVELOPMENT: Mr. Elzer stated they had about 260 runners for the race this year and it grows every year. Small Business Saturday didn't go as well as they had hoped. Starting today there are two commercial running on the local channels promoting the local shops. The Chamber made a list of places in town to eat and shop and there are 40 places.

UTILITY: NO REPORT

FINANCE: Mr. Tyger asked that Council pass the budget tonight as an emergency.

At this point Mayor Zuch gave a brief explanation of tonight's legislation.

VISITORS: John & Dot Herbert, Bob & Tami Harris, Danny & Rebecca Boggs, Pam Figley, Jerry Coblentz, Larry & Terri Ward, John & Brock Jurjavcic, John & Bonnie Davis, Chief Kevin Dickey, Chief Brett Todd, Dan Scott, Zach Gorby, Dianna Elzer, Katie Schwendeman, and Mary Anne Tyger.

THERE WERE NO VISITORS COMMENTS ON CURRENT LEGISLATION

LEGISLATION: Mr. Tyger made a motion to amend Ord. 34-2013 to be an emergency, seconded by Mr. Cohen. All in favor. Atty. Beagle introduced Ord. 34-2013 and made a motion that it be read by title only, seconded by Mr. Cohen. **An ordinance adopting the appropriation for the current expenses and other expenditures of the Village of East Palestine, Ohio, during the fiscal year beginning January 1, 2014 and adopting estimated resources...and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Figley-y, Mr. Tyger-y, Mrs. Wisser-y. 6 yes to pass. Atty. Beagle called for a vote on Ord. 34-2013. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Figley-y, Mr. Tyger-y, Mrs. Wisser-y. 6 yes to pass. Atty. Beagle introduced Ord. 35-2013 and made a motion that it be read by title only, seconded by Mr. Tyger. **An ordinance adopting the letter of understanding between the Village of East Palestine (employer) and the Teamsters (union), and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency. Roll call vote, 6 yes to pass. At this point Mr. Figley asked when questions could be asked about the legislation and Mayor Zuch stated she always asks for visitors comments. Mr. Figley stated we should explain why these contracts are an emergency. Mr. Cohen stated the contracts have to be done by the end of the year and Mr. Figley asked why. Mayor Zuch stated that is because the other contract runs out and Atty. Smith agreed with that. Atty. Beagle called for a vote on Ord. 35-2013. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Figley-y, Mr. Tyger-y, Mrs. Wisser-y. 6 yes to pass. Atty. Beagle introduced Ord. 36-2013 and made a motion that it be read by title only, seconded by Mr. Tyger. **An ordinance adopting the letter of understanding between the Village of East Palestine (employer) and the Fraternal Order of Police, Ohio Labor Council, Inc. (union), and declaring an emergency.** Atty. Beagle made a motion to suspend the rules and declare an emergency. Roll call vote, 6 yes to pass. Atty. Beagle called for a vote on Ord. 36-2013. Atty. Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Figley-y, Mr. Tyger-y, Mrs. Wisser-y. 6 yes to pass. Atty. Beagle introduced Ord. 37-2013 and made a motion that it be read by title only, seconded by Mr. Cohen. **An ordinance authorizing a 2.5% wage increase between the Village of East Palestine (employer) and all full time non union**

employees, and declaring an emergency. Atty. Beagle made a motion to suspend the rules and declare an emergency. Roll call vote, 6 yes to pass. Atty. Beagle called for a vote on Ord. 37-2013. Atty .Beagle-y, Mr. Cohen-y, Mr. Elzer-y, Mr. Figley-y, Mr. Tyger-y, Mrs. Wisser-y. 6 yes to pass. Atty. Beagle introduced Ord. 38-2013 for a first reading and made a motion that it be read by title only, seconded by Mr. Cohen. **An ordinance authorizing the Village manager to enter into a contract with Myers Equipoment Corporation for the purchase of a 2014 Osage “Super Warrior” type III ambulance.**

Mr. Cohen stated that we have received some applications for Law Director and Council should decide how to proceed to have someone in place by the end of the year. Clerk Misti Martin explained that the ad was in the Vindicator Fri, Sat, and Sun and in the Journal Sat, Sun and Monday and that per a suggestion from Mr. Cohen, she contacted the Columbiana County Law Library. They have a mass email list for all members and they emailed everyone on the list with our ad. Council decided to hold a Special Meeting on Wednesday Dec. 18 at 6pm for the purpose of interviewing candidates for the Law Director position.

ADJOURN: Mr. Cohen made a motion to adjourn, seconded by Mr. Elzer. All in favor, meeting adjourned.

MAYOR MARGO ZUCH

MISTI J. MARTIN -CLERK